

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

UNITED STATES OF AMERICA, v. (1) GODOFREDO OLMOS-SOLIS, <i>Defendant</i>	§ § § § § § §	 Nos. 1:22-CR-00023-RP; 1:20-CR-00067-RP
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ORDER

Before the Court is Defendant Godolfredo Olmos-Solis's Motion for Temporary Release to Attend Funeral, Dkt. 29.¹ The District Court referred the motion to the undersigned for resolution. Dkt. 30. The motion asks the Court to order Defendant's temporary release from custody to allow him to attend his brother's funeral, which is scheduled to take place on Sunday, September 11, 2022, at 11:00 a.m. at the Onion Creek Memorial Park in Austin, Texas. Dkt. 29, at 1. The motion further indicates that if the motion is granted, Defendant's wife and daughter would pick him up from the Bastrop County Jail, where he is currently detained, the morning of the service, and would return him to the jail either later that same day, the next morning, or at a date and time designated by the Court. *Id.*, at 1-2. Lastly, the motion indicates that the Government opposes this request. *Id.*, at 2.

In his most recent federal case, Defendant has pleaded guilty to violation of 28 U.S.C. § 1326, illegal reentry of a previously deported alien. Dkt. 23. At the time he

¹ Unless otherwise noted, citations to docket entries in this order will be to the 1:22-CR-23 docket. An identical motion was filed in the earlier docket number. This order disposes of both.

was arrested for this present violation, Defendant was serving a term of supervised release in connection with a previous illegal-reentry violation. No. 1:20-CR-00067, Dkt. 45. He faces revocation of that supervised release, along with sentencing in his most recent charge, on October 7, 2022, less than one month after his requested temporary release.

The Court is certainly sympathetic to Defendant's and his family's loss. However, in light of the circumstances surrounding his most recent arrest, his history of repeated illegal border crossings, and a looming sentencing and revocation hearing at which he will face deportation yet again, the Court will not authorize Defendant's requested release. Short of a two-deputy team of Deputy United States Marshals to guard the Defendant over the requested period of transport and release, a solution that is impracticable here, there are no conditions that can be set that provide for the safety of the community and the Defendant's future appearance in Court.

For all of these reasons, the Court hereby **DENIES** Defendant Godolfredo Olmos-Solis's Motion for Temporary Release to Attend Funeral, Dkt. 29.

SIGNED September 7, 2022.



DUSTIN M. HOWELL
UNITED STATES MAGISTRATE JUDGE